

PATENT
ATTORNEY DOCKET NO. 07039/129001

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Jens Ponikau
Serial No.: 09/177,273
Filed : October 22, 1998
Title : METHODS AND MATERIALS FOR TREATING AND PREVENTING
INFLAMMATION OF MUCOSAL TISSUE

Art Unit: 1614
Examiner: Unknown

#5

Attention: Box Missing Parts

Assistant Commissioner for Patents
Washington, DC 20231

PETITION FOR EXTENSION OF TIME

Pursuant to 37 C.F.R. §1.136, applicants hereby
petition that the period for response to examiner's action mailed
November 12, 1998, be extended for one month to and including
February 12, 1999.

Enclosed is a check for \$55.00 for the required
fee. Please apply any other charges or any credits to our
deposit account number 06-1050.

Respectfully submitted,

Date: February 4, 1999

Mark S. Ellinger
Mark S. Ellinger, Ph.D.
Reg. No. 34,812

Fish & Richardson P.C., P.A.
60 South Sixth Street, Suite 3300
Minneapolis, MN 55402

Telephone: 612/335-5070
Facsimile: 612/288-9696
20299.M11

02/11/1999 MTEKLEH1 00000077 09177273

01 FC:215

55.00 OP

Date of Deposit February 4, 1999
I hereby certify under 37 CFR 1.8(a) that this correspondence is being
deposited with the United States Postal Service as **first class** mail
with sufficient postage on the date indicated above and is addressed to
the Assistant Commissioner for Patents, Washington, D.C. 20231.

Julie Erickson
Julie Erickson



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Washington, DC 20231

RESPONSE TO NOTICE TO FILE MISSING PARTS OF APPLICATION

Responsive to the Notice to File Missing Parts of Application under 37 CFR 1.53(b) mailed November 12, 1998 (a copy of which is enclosed), Applicant as a small entity submits herewith the following:

A Combined Declaration and Power of Attorney in compliance with 37 CFR 1.63.

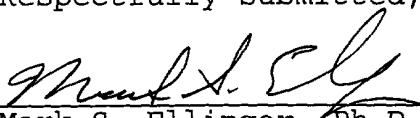
A Verified Statement Claiming Small Entity Status - Independent Inventor.

Payment of the surcharge of \$65.00 for late filing of the declaration and small entity statement.

It is understood that this perfects the application and no additional papers or filing fees are required. If there are any other charges, or any credits, please apply them to Deposit Account No. 06-1050.

Respectfully submitted,

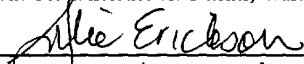
Date: February 4, 1999


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Julie Erickson

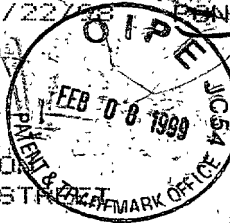
UNITED STATES DEPARTMENT OF COMMERCE

Patent and Trademark Office

Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY/AGENT
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09/177,273 NO/22/98 BENIKAU



MARK S. ELLINGER
FISH & RICHARDSON
60 SOUTH SIXTH STREET
SUITE 3300
MINNEAPOLIS MN 55402

NOT ASSIGNED

DATE MAILED: 1614

NOTICE TO FILE MISSING PARTS OF APPLICATION
Filing Date Granted

11/12/98

An Application Number and Filing Date have been assigned to this application. The items indicated below, however, are missing. Applicant is given TWO MONTHS FROM THE DATE OF THIS NOTICE within which to file all required items and pay fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a). If any of items 1 or 3 through 5 are indicated as missing, the SURCHARGE set forth in 37 CFR 1.16(e) of \$65.00 for a small entity in compliance with 37 CFR 1.27, or \$130.00 for a non-small entity, must also be timely submitted in reply to this NOTICE to avoid abandonment.

If all required items on this form are filed within the period set above, the total amount owed by applicant as a ☐ small entity (statement filed) ☒ non-small entity is \$ 130

☒ 1. The statutory basic filing fee is:

- ☐ missing
- ☐ insufficient

Applicant must submit \$ _____ to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).

☐ 2. Additional claim fees of \$ _____, including any multiple dependent claim fees, are required.

\$ _____ for _____ independent claims over 3.

\$ _____ for _____ dependent claims over 20.

\$ _____ for multiple dependent claim surcharge.

Applicant must either submit the additional claim fees or cancel additional claims for which fees are due.

☒ 3. The oath or declaration:

- ☒ is missing or unexecuted.
- ☐ does not cover the newly submitted items.
- ☐ does not identify the application to which it applies.
- ☐ does not include the city and state or foreign country of applicant's residence.

An oath or declaration in compliance with 37 CFR 1.63, including residence information and identifying the application by the above Application Number and Filing Date is required.

☐ 4. The signature(s) to the oath or declaration is/are by a person other than inventor or person qualified under 37 CFR 1.42, 1.43 or 1.47.

A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.

☒ 5. The signature of the following joint inventor(s) is missing from the oath or declaration:

An oath or declaration in compliance with 37 CFR 1.63 listing the names of all inventors and signed by the omitted inventor(s), identifying this application by the above Application Number and Filing Date, is required.

☐ 6. A \$50.00 processing fee is required since your check was returned without payment (37 CFR 1.21(b)).

☐ 7. Your filing receipt was mailed in error because your check was returned without payment.

☐ 8. The application does not comply with the Sequence Rules.

See attached "Notice to Comply with Sequence Rules 37 CFR 1.821-1.825."

☐ 9. OTHER:

Direct the reply and any questions about this notice to "Attention: Box Missing Parts."

A copy of this notice MUST be returned with the reply.

Customer Service Center

Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

02/11/1999 MTKLENI 00000026 7273

01 FC-205